

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEINANI DESLANDES, on Behalf of Herself
and All Others Similarly Situated,

Plaintiff,

v.

McDONALD’S USA, LLC, *et al.*,

Defendants.

Civil Case No. 17-cv-04857

Judge Jorge L. Alonso

Magistrate Judge M. David Weisman

PLAINTIFF’S MOTION TO CORRECT THE JUDGMENT (ECF NO. 455)

Plaintiff Leinani Deslandes hereby moves the Court to correct the Judgment entered on June 28, 2022, and states in support of this motion as follows:

1. On June 28, 2022, the Court issued its Memorandum Opinion and Order granting Defendants McDonald’s USA, LLC and McDonald’s Corporation’s motion for judgment on the pleadings or, in the alternative, for summary judgment. ECF No. 453 (hereafter, the “Order”).

2. In the Order, the Court ruled that “Defendants are entitled to judgment on the pleadings” as to the only remaining claim (Count I of the complaint) in the case, *id.* at 12, and, accordingly, “the cross motions for summary judgment are denied as moot.” *Id.* at 13. The Court thus concluded, “[f]or these reasons, defendants’ motion [378] for judgment on the pleadings or for summary judgment is granted in part and denied in part.” *Id.*

3. The Clerk thereafter entered the judgment, but indicated therein that judgment was granted in favor of Defendants against Plaintiff “on a motion for summary judgment.” June 28, 2022 Judgment in a Civil Case (ECF No. 455).

4. The Court of Appeals stresses “the importance of a clear, definite and specific judgment and remind[s] counsel of their duty to take steps to see to the entry of a proper judgment.” *Practitioner’s Handbook for Appeals to the United States Court of Appeals for the Seventh Circuit* (2020), at p. 39 (citations omitted).

5. Because the Court granted Defendants' motion for judgment on the pleadings and denied Defendants' motion for summary judgment, the final Judgment should be amended to reflect that judgment was entered on the pleadings and not on summary judgment.

Wherefore, Plaintiff moves the Court for the foregoing reasons to correct the Judgment to reflect that judgment was entered in favor of Defendants and against Plaintiff on the pleadings and not on summary judgment.

Dated: July 25, 2022

Respectfully submitted,

s/Derek Y. Brandt

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CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2022, I electronically filed the foregoing by using the CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the CM/ECF system.

s/Derek Y. Brandt
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